

FILED

DEC 14 2022

PETER A. MOORE, JR., CLERK  
US DISTRICT COURT, EDNC  
BY mus DEP CLK

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION

No. 4:22-MC-6-RJ

In re SUBPOENA ISSUED TO U.S.D.A. )  
EMPLOYEE BYRON WATERS IN THE ) NOTICE OF REMOVAL  
MATTER OF LENNETTE GOODMAN v. )  
PINE RIDGE APARTMENTS, CRAVEN )  
COUNTY DISTRICT COURT, FILE NO. )  
22CVM0927 )

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, on behalf of Byron Waters ("Waters"), an employee of the United States Department of Agriculture ("U.S.D.A.") acting in his official capacity and under color of his office, hereby states as follows:

1. On November 1, 2022, a subpoena was received via certified mail by U.S.D.A. employee Waters in the matter of Lennette Goodman v. Pine Ridge Apartments, Craven County District Court, File No. 22CVM0927. See [Exhibit 1 – subpoena].

2. The state court civil proceeding in which the subpoena was issued does not involve the United States.

3. Although the United States does not believe Waters has any knowledge relevant to the state-court case, whatever information Waters does have was obtained while acting in the course and scope of his employment with the U.S.D.A. Accordingly, the subpoena issued to him is subject to federal statutes and regulations.

4. The United States does not believe the subpoena complies with applicable federal law.

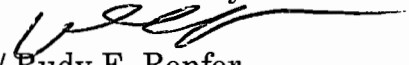
5. Pursuant to 28 U.S.C. § 1442, this subpoena action is removable to the United States District Court embracing Craven County, North Carolina.

6. The United States hereby gives notice that the subpoena action as to U.S.D.A. employee Waters is removed, and that the United States intends to move contemporaneously to quash the subpoena. The removal of the subpoena pertaining to U.S.D.A. employee Waters does not remove any other part of the underlying civil action pending in the District Court of Craven County, North Carolina.

WHEREFORE, the United States of America shows that the subpoena issued to Waters pending in the matter of Lennette Goodman v. Pine Ridge Apartments, Craven County District Court, File No. 22CVM0927, is removed to this Court.

Respectfully submitted, this 14th day of December, 2022.

MICHAEL F. EASLEY, JR.  
United States Attorney

  
BY: /s/ Rudy E. Renfer

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CERTIFICATE OF SERVICE

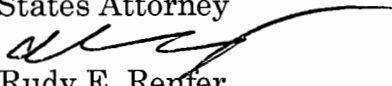
I do hereby certify that I have this 14th day of December, 2022, served a copy of the foregoing upon the below-listed party by placing a copy of the same in the U.S.

Mail addressed as follows:

Lennette Goodman  
330 McCotter Blvd.  
Apt. 3D  
Havelock, NC 28532

Clerk of Superior Court  
Craven County  
302 Broad St  
New Bern, NC 28560

MICHAEL F. EASLEY, JR.  
United States Attorney

  
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